

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 23-80101-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

v.

**DONALD J. TRUMP,
WALTINE NAUTA, and
CARLOS DE OLIVEIRA,**

Defendants.

SCHEDULING ORDER ON CIPA § 4 HEARINGS

On February 12 and 13, 2024, the Court will conduct sealed, *ex parte* hearings pursuant to Section 4 of the Classified Information Procedures Act (CIPA) [ECF No. 215 p. 9; ECF No. 220].¹ These proceedings will be held in a facility suitable for discussion of the classified information contained within the parties' Section 4 submissions [ECF Nos. 236, 264, 272, 275]. The anticipated schedule for the Section 4 hearings is set forth below:

1. Monday, February 12, 2024:


- **9:30 a.m. to 2:00 p.m.** The Court will hear argument from defense counsel for all Defendants, outside the presence of the Special Counsel. Consistent with the Protective Orders entered on September 13, 2023 [ECF Nos. 151, 152], Defendants Nauta and De Oliveira may not be present. Defense counsel shall be prepared to discuss their defense theories of the case, in detail, and how any classified information might be relevant or

¹ As stated in a prior Order, the Court reserves ruling on Defendants' Motions for Access to CIPA § 4 Filings pending the completion of these hearings [ECF No. 254].

CASE NO. 23-80101-CR-CANNON

- helpful to the defense. Defense counsel shall also be prepared to discuss Defendants' Motions for Access to CIPA § 4 Filings [ECF Nos. 237, 238] and Defendants' Challenges to the Special Counsel's CIPA § 4 Motions [ECF Nos. 236, 264, 272, 275].
- **3:00 p.m. to 5:00 p.m.** The Court will hear argument from the Special Counsel, outside the presence of Defendants or defense counsel. The Special Counsel shall be prepared to discuss its CIPA § 4 Motions [ECF No. 236] and all follow-up items from the sealed, *ex parte* hearing held on January 31, 2024 [ECF No. 276].
2. Tuesday, February 13, 2024: As previously ordered, the parties shall reserve February 13, 2024, for further proceedings on their Section 4 submissions, as necessary [ECF No. 215 p. 9; ECF No. 220].
3. As a separate matter, consistent with the Protective Orders entered in this case [ECF No. 151 ¶ 22(a); ECF No. 152 ¶ 22(a)], Defendants Nauta and De Oliveria shall file a public Notice of Filing on or before **February 7, 2024**, reflecting the classified submission referenced in their Challenge to the Special Counsel's CIPA § 4 Motions [ECF No. 272 pp. 1–2].

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 5th day of February 2024.


AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record